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CHOT 101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: CHOTKOWSKY et al. Group Art Unit :
Serial No.: 09/996,198 Examiner :
Filed : November 6, 2001
For : WIRELESS DEVICE FOR BROADCAST OF INFORMATION
AND RELATED METHOD FOR USE WITH MOBILE
WIRELESS DEVICES

Date: December 17, 2001

Assistant Commissioner for Patents
Washington D.C. 20231

ATTENTION BOX PETITIONS

**PETITION UNDER 37 CFR 1.10(d)
FOR CORRECTION OF FILING DATE OF APPLICATION**

Sir/Madame:

Applicants submit this Petition under 37 CFR 1.10(d) for correction of the filing date in the above-identified application. The facts surrounding this request are as follows:

1. A new application relating to the identified disclosure was submitted to the USPTO on November 6, 2001 by Express Mail No. EL 768468484 (See enclosed copy of transmittal letter).
2. The new application filing claimed priority of provisional application Serial No. 60/246,309 filed November 7, 2000.
3. Applicant's recently received the return postcard receipt and was assigned application Serial No. 09/996,198 and an incorrect filing date of November 27, 2001 (see enclosed copy of return postcard).

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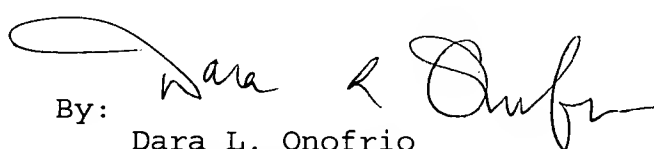
4. Applicant's submit that assigning the application a filing date of November 27, 2001 was in error. The application papers were properly filed by Express Mail on November 6, 2001, thus the correct filing date of the application should be November 6, 2001.
5. As further evidence to support Applicant's position, enclosed please find a copy of the shipping history for the Express Mail package. This indicates that the package was accepted on November 6, 2001 at 5:03 pm at the West New York, New Jersey post office. It is not known by the Applicant why the documents were not delivered to the USPTO until November 25, 2001.
6. Accordingly, in view of the above circumstances it is believed that no fee is due for this Petition, since it appears to be USPTO error. However, if this is not the case, authorization is given to charge deposit account 50-1541 the fee of \$130 for this petition under 37 CFR 1.10(d), or to credit any refund thereto.
7. Applicants request correction of the filing date as quickly as possible.

If you have any questions concerning the above please do not hesitate to contact the undersigned.

Respectfully submitted,

Attorneys for Applicant's

By:


Dara L. Onofrio
Reg. No. 34,889
233 Broadway - Suite 2702
New York, NY 10279
(212) 791-2950

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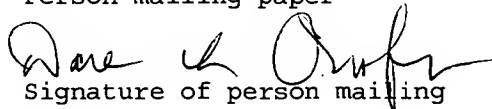
CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

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Dated: December 17, 2001

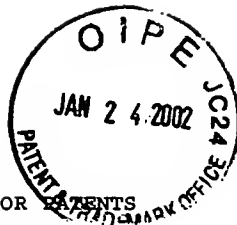
Dara L. Onofrio
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Signature of person mailing
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Modified PTO 1082

BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231



Case Docket No CHOT 101

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s): Gregory CHOTKOWSKI; and J. Jeffrey FRED A

For: WIRELESS DEVICE FOR BROADCAST OF INFORMATION AND RELATED METHOD FOR USE
WITH MOBILE WIRELESS DEVICES

Enclosed are:

X Specification and claims.
X Inventors' Declaration and Power of Attorney (UNEXECUTED).
X 10 sheets of (informal) drawings.

The filing fee has been calculated as follows:

| | (Col.1) | (Col.2) | SMALL ENTITY |
|---------------------------|-----------|-----------|--------------|
| FOR: | NO. FILED | NO. EXTRA | RATE FEE |
| BASIC FEE | | | \$ 370 |
| TOTAL CLAIMS | 8-20 | | X 9 |
| INDEP CLAIMS | 3- 3 | | X 42 -- |
| MULTIPLE DEPENDENT CLAIMS | | | X 140 -- |

* If the difference in Col.1 is less
than zero, enter "0" in Col.2

Fee for recordation of Assignment

TOTAL \$ 370

Our check in the amount of \$_____ is enclosed for the filing
(and assignment recordation) fee(s).
X Please charge Deposit Account No. 50-1541 in the amount of \$ 370.
Triplicate copies of this sheet are enclosed.
X The Commissioner is hereby authorized to charge any under-payment
of fees required for the filing of this application, or credit any
overpayment, to Deposit Account No. 50-1541. Triplicate copies of
this sheet are enclosed.
The Commissioner is hereby authorized to charge any under-payment
of fees required to maintain the pendency of this application,
or to credit any overpayment, to Deposit Account No. 50-1541.
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Washington, D.C. 20231

Certificate Number EL 758468484 US

Date: November 6, 2001

Respectfully submitted,

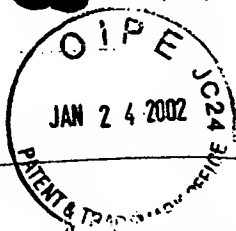
Dara L. Onofrio
Attorney for Applicant(s)
Registration No. 34,889

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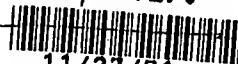
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Applicants: [redacted] + Kowski, Freda [redacted] CHOT 101



11011 U.S. PTO

09/996198



11/27/01

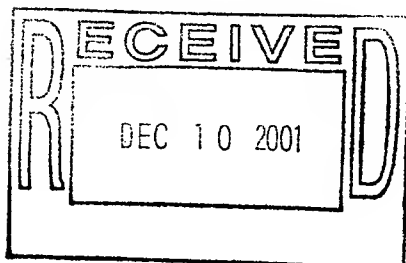
PLEASE ACKNOWLEDGE

A NEW APPN TRANSMITTAL
including specification, claims, 10 sheets
of drawings and a Certificate of
Express Mailing EL 768468484 -
11-6-01.

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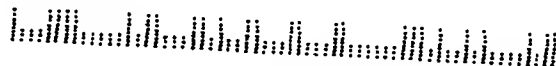
Northwestern
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The Law Offices of Dara-L. Onofrio
233 Broadway - Suite 2702
New York, NY 10279-2799

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Shipment History

You entered EL76 8468 484U S

Your item was delivered at 8:37 am on November 25, 2001 in WASHINGTON, DC 20231. The item was signed for by A TAITANO.

Here is what happened earlier:

- ACCEPTANCE, November 06, 2001, 5:03 pm, WEST NEW YORK, NJ 07093

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